

## **The Muscogee (Creek) Nation & EPA Region 6**

### **Meeting Notes**

Date: Wednesday, June 9, 2021

Microsoft Teams Meeting

**Topic:** The Muscogee Nation - Looped Square Meat Co.

**Meeting Purpose:** Initial meeting coordinated with The Muscogee (Creek) Nation – Environmental Office and EPA program offices (Tribal Affairs, Air and Water Permits Division, and Regional Counsel) to discuss and address technical concerns on facility construction of meat processing plant on tribal trust land south of Tulsa, Oklahoma.

#### **EPA Attendees:**

- [ [HYPERLINK "mailto:%20alvarado.tina@epa.gov"](mailto:%20alvarado.tina@epa.gov) ], Office of Regional Counsel, Attorney, 214-665-2709
- [ [HYPERLINK "mailto:acosta.gerardo@epa.gov"](mailto:acosta.gerardo@epa.gov) ], Staff Director, Office of Communities, Tribes, and Environmental Assessment, 214-665-8042
- [ [HYPERLINK "mailto:larsen.brent@epa.gov"](mailto:larsen.brent@epa.gov) ], Chief, Water Permitting Section (6WQ-PP), 214-665-7523,
- [ [HYPERLINK "mailto:leDoux.eric@epa.gov"](mailto:leDoux.eric@epa.gov) ], Air and Radiation Permits, 214-665-7265
- [ [HYPERLINK "mailto:gomez.salina@epa.gov"](mailto:gomez.salina@epa.gov) ], Tribal Affairs GAP Project Officer/Tribal Liaison, 214-665-6650,

#### **The Muscogee (Creek) Nation Attendees:**

- [ [HYPERLINK "mailto:JWilliams@muscogeenation.com"](mailto:JWilliams@muscogeenation.com) ], Director, Office of Environmental Services, 918-549-2580
- [ [HYPERLINK "mailto:JAusmus@MCN-NSN.gov"](mailto:JAusmus@MCN-NSN.gov) ], Environmental Specialist, 918-549-2580
- Prag Mahajan, [ [HYPERLINK "mailto:pmahajan@muscogeenation.com"](mailto:pmahajan@muscogeenation.com) ]
- Brett Sands, [ [HYPERLINK "mailto:brettsands@muscogeenation.com"](mailto:brettsands@muscogeenation.com) ]

#### **Meeting Notes:**

The Muscogee (Creek) Nation is constructing a meat processing plant on tribal trust land south of Tulsa, OK. The plant site is near the Nation's Duck Creek Casino. The facility is scheduled to open/operate in October- November 2021.

Water Division– Brent Larsen discussed general facility construction, concerning NPDES permits information, activities on site, and lagoon discharge. If impoundment is total retention advised by 6WD that no NPDES permit is not required.

- Tribe confirmed permits for construction storm water from both EPA and ODEQ.
- EPA issued the 2021 Multi-Sector General Permit (MSGP) for industrial stormwater discharges on January 15, 2021. Storm water associated with industrial activity would need this permit if discharged to a water of the US.
- Please coordinate with Water Division for more technical assistance and additional questions.

Air Division– Erica LeDoux sent out email with additional guidance on Tribal NSR webpage that includes permitting resources for facilities in Indian Country: [ HYPERLINK "<https://www.epa.gov/tribal-air/tribal-minor-new-source-review>" ]

- Recommended to visit web site link and additional information on Air Permits will be determined based on the potential air pollutants. First steps the applicant needs to take is to determine if the NSR program applies to their facility by calculating the sources potential to emit for the pollutants listed below. There are several permit options within the Tribal NSR permitting program, i.e., true minor NSR, synthetic minor NSR, General permit, etc.
- Emergency Generator will be on-site, mentioned during the meeting.
- Please coordinate with Air Divison for more technical assistance and next steps.

Regional Counsel – Land jurisdiction was briefly discussed, and Tribe has confirmed the new construction facility and lagoon is on Trust Land. So long as the regulated activities (construction, discharge) are located on trust lands, EPA would be the regulating agency, not ODEQ.